



Governor Terry E. Branstad

Lt. Governor Kim Reynolds

San Wong, Director

**Iowa Commission on Native American Affairs Meeting
Iowa Department of Corrections
510 E. 12th St. – Second Floor Conference Room
Wednesday, April 17, 2013
9 a.m. – 4 p.m.**

Invocation

Call to Order – Chair Allen at 9:20 a.m. and quorum established.

Members Present: Judy Allen, Vicky Apala-Cuevas, Keith Carpenter, Franklin Phillips, Kelly Montijo Fink, Karen Mackey, Judy Yellowbank, Joe Coulter (joined at 9:32 a.m.)

Members Absent: Theresa Mahoney, Larry Lasley

Guests: Heidi Smith, DHR Deputy Director/CAS Division Administrator; Jill Fulitano Avery, staff; Danielle Plogmann, staff; Jake Ketzner, Office of the Governor; Judy Morrison, Consultant with DOC;

Approval of Minutes: Corrections were requested; including noting Keith Carpenter joined the previous meeting late, changing “Mt. Pleasant” to “Ft. Dodge” on last page, correcting spelling of “Cuevas” throughout.

Motion to approve as amended: Mackey Second: Apala-Cuevas

Vote: Allen, Apala-Cuevas, Carpenter, Phillips, Montijo Fink, Mackey voted yes. Yellowbank abstained. Motion carried.

Chair Report: Chair Allen informed the group this would be her last meeting on the commission. She noted she might ask to serve again, if no one else from the Ponca tribe living in Iowa comes forward, but noted she would not serve again as chair. Allen said she is proud of the work members continue to do and she promised to stay involved in another capacity.

DHR Report: Jill Fulitano Avery said it has been a privilege and honor to work with Judy and she appreciated Judy’s leadership and what she has accomplished. Fulitano Avery said two new members will join the commission May 1 – Dirk Whitebreast, Meskwaki, and Dawn Buffalo, Meskwaki. Fulitano Avery will circulate new contact information after touching base with new members. Fulitano Avery has posted all previous agendas and minutes going back to the start of the commission on the Department’s Native American webpage.

Administrator Heidi Smith discussed two youth programs currently accepting applications – Iowa Youth Congress and State of Iowa Youth Advisory Council. These programs give underrepresented youth leadership opportunities and experience in the legislative process.

Capitol Display Committee Report: Coulter reported slow progress in getting a meeting with necessary parties. Jake Ketzner, liaison in the Governor's Office, stated he recently spoke with Mary Cownie, Director of Cultural Affairs, who states Cultural Affairs only has authority over battle flags. Cownie suggested meeting with Nancy Williams and Glen Dickinson. Ketzner offered to coordinate this meeting, which will also be attended by himself and the committee (Coulter and Lasley). Chair Allen noted that while Fulitano Avery is available to assist, commission members should proceed on their own with work necessary to complete their goals.

The group agreed that a separate meeting with the Governor to discuss not just the capitol display but also other issues is appropriate. Fulitano Avery will work to coordinate.

Indian Child Welfare Act (ICWA) and Juvenile Justice Committee Report: Mackey reported a case went before the United States Supreme Court this week. The case began in Oklahoma. Mackey said a baby born to a Hispanic mother and Cherokee father was adopted by a couple from South Carolina. The lower courts returned the child to the biological father when the child was two years old. The child is 3 ½ now. The adoptive couple has filed the case with the Supreme Court, and the ruling won't be known until June. Chair Allen asked if ICWA law needs to be strengthened by adding consequences if it's not followed. She suggested maybe the committee write a letter. The group also discussed how to better educate and persuade local county attorneys to follow ICWA. Chair Allen suggested the Bar Association as a resource. Apala-Cuevas is now joining Mackey and Yellowbank on the ICWA/Juvenile Justice committee.

Commemorative Project Committee Report: Mackey provided historical background for new member Montijo Fink and said the commemorative event in Sioux City last December was successful. Several documentary films were shown.

DOC Invitation: Department of Corrections Director John Baldwin briefly attended the meeting and invited the commission to the Mitchellville facility to hold a meeting. Baldwin explained how the corrections system is becoming more treatment-focused, aimed at treating underlying mental health conditions. The goal is to get prisoners the help they need so that they don't return to the prison system. One new initiative is that outgoing prisoners in need of psychotropic prescriptions are able to get three months of psychotropic prescriptions for only a dollar per month. Baldwin said 90 days should be long enough for the person to get into the care of a psychiatrist. Coulter said at the last meeting, the group asked to receive regular reports on the number of incarcerated Native people in Iowa. Yellowbank also mentioned Disproportionate Minority Contact (DMC) reports. Fulitano Avery said she will work to get a member of Criminal and Juvenile Justice Planning (CJJP) to attend an upcoming

meeting to discuss the information the group would like to receive and what information CJJP has available. Coulter said he thinks the commission should form a DMC subcommittee.

Chair Allen asked to receive budget updates at commission meetings.

Tribal Community Collaborations Report: Coulter would like to see the information he previously collected for this subcommittee on the Native American Office's webpage. He also would like tribal leaders to be reimbursed to attend commission meetings. Chair Allen, noting resource restrictions, suggested the commission invite tribal leaders to attend when the commission is meeting in that region. She also noted that many tribal councils' have money for this.

Election of New Chair: Tabled until the next meeting so that new members can participate.

Meeting with Governor: Chair Allen asked members to think about issues and start putting those ideas together at the next meeting. She said they should draft a position paper including things the commission is working on, challenges, strengths and successes. She also reminded the group to advocate for more funding. Vice Chair Yellowbank will assume Allen's role of emailing the commission. Fulitano Avery will work on setting up a meeting with the Governor prior to November, after the Commission has had the opportunity to decide on priority issues and draft a paper to share with the Governor.

Native American Prisoners Spiritual Rights: Iowa Department of Corrections (DOC) Native American Spiritual and Cultural Consultant Judy Morrison provided an update on the Native American Spirituality "requirements and regulations," which the commission has been working with DOC on for several years. The requirements and regulations will be introduced in all institutions by July 1. If a staff member violates it, they can be reprimanded including and up to termination. The commission can receive the final version after implementation.

Morrison said that in the last six months, two DOC facilities had to close their sweat lodges due to safety concerns. One has reopened.

Next Meeting: Friday, July 12 at Mitchellville. Judy Morrison will help with arrangements.

Announcements: None

Public Comment: None

Adjourn: Mackey moved, Carpenter seconded. Meeting adjourned at 12:42 p.m.